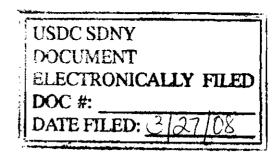
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FIREMAN'S FUND INSURANCE COMPANY, as subrogee of EMPRESS INTERNATIONAL LTD.,

Plaintiff,

- against -



ORDER

08 Civ. 388 (MGC)

FMI INTERNATIONAL OF NEW JERSEY LLC d/b/a FMI INTERNATIONAL LLC, FMI TRUCKING, INC. and FMI EXPRESS CORP.,

Defendants.

CEDARBAUM, J.

Whereas, the defendants have filed bankruptcy petitions in the Bankruptcy Court for the District of New Jersey and the plaintiff has filed proofs of claim in that Bankruptcy Court, this action cannot proceed and will be determined by the Bankruptcy Court. Therefore, this action is dismissed with the consent of the parties.

SO ORDERED.

Dated: New York, New York

March 认 7, 2008

MIRIAM GOLDMAN CEDARBAUM United States District Judge